

Application No.: 10/544,217

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1 and 2. These sheets replace the original sheets including Figs. 1 and 2 and label Figs. 1 and 2 as “Prior Art.”

Attachment: Replacement Drawing Sheets

REMARKS

Introduction

In response to the Office Action dated September 6, 2007, Applicants have amended the drawings and claims 1, 3-5, and 9. Support for amended claim 1 is found in, for example, originally filed claim 2. Claims 2 and 7 have been cancelled. Care has been taken to avoid the introduction of new matter. Claims 3-5 have been amended to change their dependency to claim 1, and claim 9 has been amended to depend on claim 8. Claim 4 is withdrawn. Claims 1, 3, 5, 6, 8, and 9 are pending. In view of the foregoing amendments and the following remarks, Applicants respectfully submit that all pending claims are in condition for allowance.

Drawings

The Office Action stated that Figs. 1 and 2 should be designated as --Prior Art--. Figs. 1 and 2 have been labeled --Prior Art--.

Withdrawal of the foregoing objection is respectfully requested.

Claim Rejection Under 35 U.S.C. § 112

Claims 1-3, 5, and 6 stand rejected under 35 U.S.C. § 112, second paragraph, as purportedly being indefinite. The Office Action asserts that in claim 1, the phrase “the bobbin” has no antecedent basis. Claim 1 has been amended to recite, “...an inner peripheral surface whose diameter gradually increases in a direction away from a take-up bobbin, movably positioned to cover one of a plurality of collars of **the take-up** bobbin.”

Accordingly, one having ordinary skill in the art would not have difficulty understanding the scope of the presently claimed invention, particularly when reasonably interpreted in light of

the supporting specification. Therefore, it is respectfully submitted that the imposed rejection under 35 U.S.C. § 112, second paragraph is not legally viable and hence, Applicants solicit withdrawal thereof.

Claim Rejection Under 35 U.S.C. § 103

Claims 1-3 and 5-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,015,785 to Ikegami et al. (hereinafter Ikegami) in view of U.S. Patent No. 5,558,296 to Sasaki et al. (hereinafter Sasaki).

Amended claim 1 recites, in part, "...an annular guide having a notch for guiding the wire, an inner peripheral surface whose diameter gradually increases in a direction away from a take-up bobbin, movably positioned to cover one of a plurality of collars of the take-up bobbin for the wire, and having an engagement portion for preventing the wire from springing out of the take-up bobbin."

According to an embodiment of the present invention, an annular guide has a notch for guiding a wire, an inner peripheral surface expanded in a direction away from a take-up bobbin, and an engagement portion for preventing the wire from springing out of the bobbin.

The Office Action asserts that Ikegami discloses an apparatus for winding a wire including an annular guide 10 for guiding the wire, the guide having an inner peripheral surface 10a whose diameter gradually increases in a direction remote away from the bobbin, and is disposed so that it can cover one of the collars 5 of a take-up bobbin 1 for the wire.

Turning to the prior art, Ikegami shows in Figs. 2 and 6 a cover 9 and an auxiliary terminal treating cover 10 that move closer to each other at the end of rolling a wire-like object 2. Ikegami discusses that the covers 9 and 10 overlap each other, as shown in Figs. 1 and 3. The

inner peripheral surface 10a of Ikegami moves in a direction away from and towards a bobbin 1. However, the inner peripheral surface 10a of Ikegami has a fixed diameter (*see*, Figs. 1, 3-6, 11, and 12). Ikegami fails to disclose or suggest, at a minimum, "...an inner peripheral surface **whose diameter gradually increases** in a direction away from a take-up bobbin," as recited in amended claim 1.

The Office Action acknowledges that Ikegami is silent regarding the annular guide having a notch. The Office Action relies on Sasaki in an attempt to cure the deficiencies of Ikegami.

The Office Action asserts that Sasaki discloses an annular guide 24 with a notch 24a for guiding a wire onto a take-up bobbin 12.

Sasaki provides that the annular guide 24 is slidably movable in a forward or backward direction on winding shafts 20 and 20'. However, an inner peripheral surface of the annular guide 24 of Sasaki has a constant diameter, as shown in Figs. 1, 6, 8, and 10. Therefore, the annular guide 24 of Sasaki is not provided with an inner peripheral surface whose diameter *gradually increases* in a direction away from the take-up bobbin, as required by amended claim 1.

Sasaki fails to disclose or suggest, at a minimum, "...an inner peripheral surface **whose diameter gradually increases** in a direction remote away from a take-up bobbin," as recited in amended claim 1.

Further, Sasaki is *silent* regarding an engagement portion as part of an annular guide. Thus, Sasaki fails to cure the deficiencies of Ikegami.

The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention to add the notch of Sasaki to the annular guide of Ikegami to guide the wire onto the bobbin as taught by Sasaki.

Obviousness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). There is no suggestion in Sasaki to modify the annular guide, nor does common sense dictate the Examiner-asserted modifications. The Examiner has not provided any evidence that there would be any obvious benefit in making the asserted modification of Sasaki. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S.Ct. 1727, 82 USPQ2d 1385 (2007).

The only teaching of the annular guide is found in Applicants' disclosure. However, the teaching or suggestion to make a claimed combination and the reasonable expectation of success must not be based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Neither Ikegami nor Sasaki, individually or combined, disclose or suggest, "...an inner peripheral surface whose diameter gradually increases in a direction remote away from a take-up bobbin, disposed so that it can cover one of a plurality of collars of the take-up bobbin for the wire, and having an engagement portion for preventing the wire from springing out of the take-up bobbin," as recited in amended claim 1.

Withdrawal of the foregoing rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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